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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/606,851

06/25/2003

Abhijit B. Rao

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EXAMINER

O CONNOR, BRIAN T

ART UNIT

PAPER NUMBER

2616

MAIL DATE

DELIVERY MODE

09/06/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/606,851

Applicant(s)

RAO, ABHIJIT B.

Examiner

Brian T. O'Connor

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 June 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17, 19-36 and 38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17, 19-36, and 38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>6/11/2007</u> . | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Response to Amendment

1. This office action is in response to Applicant's amendment filed on 06/08/2007.
2. Claims 18 and 37 are cancelled. Claims 1 and 20 have been amended. Claims 1-17, 19-36, and 38 are currently pending.
3. Due to Applicant's cancellation of claims 18 and 37, the 35 USC 101 rejection of claims 18 and 37 is withdrawn.

Claim Rejections - 35 USC § 103

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
5. Claims 1-5, 7-17, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ayyagari et al. (US 7,120,129; hereafter Ayyagari) in view of Arens (US 7,152,099) and further in view of Durej et al. (US 6,667,690; hereafter Durej) and further in view of IEEE 802.11 Standard (IEEE Standards Board, "Wireless LAN Medium Access Control (MAC) and Physical Layer (PHY) specifications", 1997, IEEE, New York, NY; hereafter IEEE802.11).

With respect to claim 1, Ayyagari discloses a method for configuring a wireless network client or zero configuration device (246 of Figure 5) with an access point (column 2, lines 32-52), the method includes the steps of discovering or scanning for wireless networks (230, 232, 234, 236 of Figure 4; 264 of Figure 6; column 13, lines 14-50); deriving or detecting a preferred or predetermined SSID (268 of Figure 6) from the results of the scanning step; and configuring the wireless network client to connect the access point in the wireless network (230, 234 of Figure 4).

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Ayyagari fails to disclose that an already configured device is broadcasting the broadcast message and that a client sending a configuration announcement message to the already configured device.

Arens discloses a method where a previously configured network device (120 of Figure 1) broadcasts configuration data to an unconfigured network device (110 of Figure 1) so that the unconfigured network device will create configuration data to connect to a network (130 of Figure 1) (220 of Figure 2A; 230 of Figure 2A; column 4, line 60 – column 5, line 3).

Arens realizes the benefit of less user and administrator interaction by having a previously configured device sent configuration data to an un-configured device (column 2, lines 21-26). Thus it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the method of Ayyagari to include the method of Arens.

Ayyagari fails to disclose ending the broadcast of configuration messages at a configuring device once an announcement message is received from a newly configured device.

Durej, in a method for configuring un-configured devices with a configured device, teaches that once the un-configured device has successfully sent a message to the configured device (76, 79 of Figure 6) then the configured device will stop broadcasting an address assignment message (column 5, lines 8-11).

One possessing ordinary skill in the art would realize the benefit of greater network efficiency by ending the broadcast of configuration messages once an verification message is received from a client. Thus it would have been obvious to one of ordinary skill in the art at the time of the invention to use the method of Durej with the method of Ayyagari.

Ayyagari does not disclose a broadcast message or a configuration announcement message send from the wireless network client to the access point of the wireless network.

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IEEE802.11 discloses a method for configuring or registering a wireless station with an access point in a wireless network wherein a station listens (section 11.1.3, pg 125 where the station is passively scanning) for a defined beacon frame or predetermined broadcast message (Table 5, section 7.2.3.1, pg 46) sent by an access point (section 11.1.2.1, pg 123) at regular intervals. IEEE802.11 also discloses an Association Request frame or configuration announcement message (section 5.7.2 Association, pg 25; section 7.2.3.4 Association Request frame format, pg 47) sent from a wireless station to an access point in a wireless network.

One of ordinary skill in the art would recognize the benefit of greater product compatibility and market share by using accepted IEEE standards for wireless networks. Thus it would have been obvious to one of ordinary skill in the art at the time of the invention to use the standards in IEEE802.11 with the method of Ayyagari.

With respect to claim 2, Ayyagari does not disclose a beacon message containing a network identity for a wireless locality corresponding to the network from which the beacon message is detected.

IEEE802.11 discloses a method for configuring or registering a wireless station with an access point in a wireless network wherein a station passively listens or scans (section 11.1.3.1 Passive scanning, pg 126) for a beacon frame (section 7.2.3.1 Beacon frame format, pg 46) with a SSID (Service Set Identity) field (section 7.3.2.1 SSID element, pg 56).

One of ordinary skill in the art would recognize the benefit of greater product compatibility and market share by using accepted IEEE standards for wireless networks. Thus it would have been obvious to one of ordinary skill in the art at the time of the invention to use the standards in IEEE802.11 with the method of Ayyagari.

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With respect to claim 3, Ayyagari does not disclose a probe request message and a probe response message sent back and forth between the wireless network client and an access point in a wireless network.

IEEE802.11 discloses a method for configuring or registering a wireless station with an access point in a wireless network wherein a station actively listens or scans (section 11.1.3.2 Active scanning, section 11.1.3.2.1 Sending a probe response, pg 126) for a probe response frame (section 7.2.3.9 Probe Response frame format, pg 49) with a SSID (Service Set Identity) field (section 7.3.2.1 SSID element, pg 56) after sending a probe request frame (section 7.2.3.8 Probe Request frame format, pg 48).

One of ordinary skill in the art would recognize the benefit of greater product compatibility and market share by using accepted IEEE standards for wireless networks. Thus it would have been obvious to one of ordinary skill in the art at the time of the invention to use the standards in IEEE802.11 with the method of Ayyagari.

With respect to claim 4, Ayyagari does not disclose that the monitoring or detecting of each wireless network is performed for a set period of time.

IEEE802.11 discloses a method for configuring or registering a wireless station with an access point in a wireless network wherein a station scans and listens for a set time interval (section 10.3.2.1.2 Semantics, MinChannelTime and MaxChannelTime fields, pg 103-104).

One of ordinary skill in the art would recognize the benefit of greater product compatibility and market share by using accepted IEEE standards for wireless networks. Thus it would have been obvious to one of ordinary skill in the art at the time of the invention to use the standards in IEEE802.11 with the method of Ayyagari.

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With respect to claim 5, Ayyagari does not disclose that when monitoring or detecting for each wireless network is performed on a group of wireless channel for a set time interval.

IEEE802.11 discloses a method for configuring or registering a wireless station with an access point in a wireless network wherein a station listens or scans a list of wireless channels for a minimum time interval (section 10.3.2.1 MLME-SCAN.request, section 10.3.2.1.1, section 10.3.2.1.2 Semantics, pg 103-104).

One of ordinary skill in the art would recognize the benefit of greater product compatibility and market share by using accepted IEEE standards for wireless networks. Thus it would have been obvious to one of ordinary skill in the art at the time of the invention to use the standards in IEEE802.11 with the method of Ayyagari.

With respect to claim 7, Ayyagari further discloses that the wireless client or zero configuration device places all detected wireless networks in a list or table (266 of Figure 6; column 13, lines 19-23).

With respect to claim 8, Ayyagari further discloses that the list or table contains SSIDs for each wireless network (266 of Figure 6; column 13, lines 19-23).

With respect to claim 9, Ayyagari does not disclose that if the monitoring or scanning fails to detect any wireless networks then the wireless client or zero configuration device stops monitoring or scanning.

IEEE802.11 discloses that in the event no wireless networks or not desired SSIDs of wireless networks are found then the client will stop scanning (second paragraph, pg 126).

One of ordinary skill in the art would recognize the benefit of greater product compatibility and market share by using accepted IEEE standards for wireless networks. Thus it would have been obvious to one of ordinary skill in the art at the time of the invention to use the standards in IEEE802.11 with the method of Ayyagari.

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With respect to claim 10, Ayyagari further discloses that the list is examined for desired SSIDs and in the case of only one beacon frame the network client will still be configured (column 13, lines 19-63).

With respect to claim 11, Ayyagari does not disclose that the detected SSIDs are MAC addresses.

IEEE802.11 discloses that the SSID is a MAC address (section 7.1.3.3.3 BSSID field, pg 39).

One of ordinary skill in the art would recognize the benefit of greater product compatibility and market share by using accepted IEEE standards for wireless networks. Thus it would have been obvious to one of ordinary skill in the art at the time of the invention to use the standards in IEEE802.11 with the method of Ayyagari.

With respect to claim 12, Ayyagari does not disclose a broadcast message with a set character string.

IEEE802.11 discloses that the beacon message contains a SSID field (Table 5, pg 46) and the SSID field is built from characters (section 7.3.2.1 SSID element, pg 56).

One of ordinary skill in the art would recognize the benefit of greater product compatibility and market share by using accepted IEEE standards for wireless networks. Thus it would have been obvious to one of ordinary skill in the art at the time of the invention to use the standards in IEEE802.11 with the method of Ayyagari.

With respect to claim 13, Ayyagari does not disclose a broadcast message with an identifier for a computing device with sent the broadcast message.

IEEE802.11 discloses that the beacon message contains a SSID field (Table 5, pg 46) to identify an access point or another wireless station.

One of ordinary skill in the art would recognize the benefit of greater product compatibility and market share by using accepted IEEE standards for wireless networks.

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Thus it would have been obvious to one of ordinary skill in the art at the time of the invention to use the standards in IEEE802.11 with the method of Ayyagari.

With respect to claim 14, Ayyagari does not disclose a configuration announcement message from a wireless client that is a device discovery announcement in accordance with a device discovery protocol.

IEEE802.11 discloses an Association Request frame or configuration announcement message (section 5.7.2 Association, pg 25; section 7.2.3.4 Association Request frame format, pg 47) which is viewed as a device discovery announcement according to a device discovery protocol (IEEE 802.11).

One of ordinary skill in the art would recognize the benefit of greater product compatibility and market share by using accepted IEEE standards for wireless networks. Thus it would have been obvious to one of ordinary skill in the art at the time of the invention to use the standards in IEEE802.11 with the method of Ayyagari.

With respect to claim 15, Ayyagari does not disclose that the configuration announcement message or Association Request frame includes a state variable with a value to indicate that the wireless network client is a new device on the wireless network.

IEEE802.11 discloses that the Association Request frame includes a frame control field (Figure 13, pg 35) with the Type and Subtype fields set to "00" and "0000" respectively (Table 1, pg 35). Type and Subtype fields are viewed as a state variable and the combination of bit values represents an association request which only comes from a new device on a wireless network in the IEEE 802.11 protocol.

One of ordinary skill in the art would recognize the benefit of greater product compatibility and market share by using accepted IEEE standards for wireless networks. Thus it would have been obvious to one of ordinary skill in the art at the time of the invention to use the standards in IEEE802.11 with the method of Ayyagari.

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With respect to claim 16, Ayyagari further discloses an operating system (134 of Figure 1) for performing the method, one of ordinary skill in the art would realize the benefit of increased convenience by having the operating system initiate the configuration method when the power is cycled on the computer (110 of Figure 1) or zero configuration device (246 of Figure 5).

With respect to claim 17 (17/1-17/5 and 17/7-17/16), Ayyagari further discloses a program memory (130 of Figure 1) and a processor (120 of Figure 1; column 6, lines 32-43) for executing the steps of the configuration method.

With respect to claim 19, Ayyagari further discloses Ayyagari further discloses a computer readable media (152, 156 of Figure 1) for storing compute process steps to perform the steps of the configuration method (column 6, lines 1-31).

6. Claims 20-36 and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ayyagari in view of Arens and further in view of IEEE 802.11.

With respect to claim 20, Ayyagari discloses a method for configuring a wireless network client or zero configuration device (246 of Figure 5) with an access point (column 2, lines 32-52) for use in a computing device (110 of Figure 1), the method includes the steps of discovering or scanning for wireless networks (230, 232, 234, 236 of Figure 4; 264 of Figure 6; column 13, lines 14-50); and deriving or detecting a preferred or predetermined SSID (268 of Figure 6) from the results of the scanning step.

Arens discloses a method where a previously configured network device (120 of Figure 1) broadcasts configuration data to an unconfigured network device (110 of Figure 1) so that the unconfigured network device will create configuration data to connect to a network (130 of Figure 1) (220 of Figure 2A; 230 of Figure 2A; column 4, line 60 – column 5, line 3).

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Arens realizes the benefit of less user and administrator interaction by having a previously configured device sent configuration data to an un-configured device (column 2, lines 21-26). Thus it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the method of Ayyagari to include the method of Arens.

Ayyagari does not disclose initiating a broadcast message sent from the wireless network client to the access point of the wireless network and that if the monitoring or scanning fails to detected any wireless networks then the wireless client or zero configuration device stops monitoring or scanning.

IEEE802.11 discloses a method for configuring or registering a wireless station with an access point in a wireless network wherein a station listens (section 11.1.3, pg 125 where the station is passively scanning) for a defined beacon frame or predetermined broadcast message (Table 5, section 7.2.3.1, pg 46) sent by an access point (section 11.1.2.1, pg 123) at regular intervals. IEEE802.11 also discloses a scan request to initiate the monitoring (section 10.3.2.1 MLME-SCAN.request, section 10.3.2.1.1 Function, section 10.3.2.1.2 Semantics of the service primitive pg 103-104) sent from a wireless station to an access point in a wireless network.

IEEE802.11 discloses that in the event no wireless networks or not desired SSIDs of wireless networks are found then the client will stop scanning (second paragraph, pg 126).

One of ordinary skill in the art would recognize the benefit of greater product compatibility and market share by using accepted IEEE standards for wireless networks. Thus it would have been obvious to one of ordinary skill in the art at the time of the invention to use the standards in IEEE802.11 with the method of Ayyagari.

With respect to claim 21, Ayyagari further discloses a user interface that allows for option settings and use of the scanning method (column 9, lines 45-62).

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With respect to claim 22, Ayyagari does not disclose a broadcast message with a set character string.

IEEE802.11 discloses that the beacon message contains a SSID field (Table 5, pg 46) and the SSID field is built from characters (section 7.3.2.1 SSID element, pg 56).

One of ordinary skill in the art would recognize the benefit of greater product compatibility and market share by using accepted IEEE standards for wireless networks. Thus it would have been obvious to one of ordinary skill in the art at the time of the invention to use the standards in IEEE802.11 with the method of Ayyagari.

With respect to claim 23, Ayyagari does not disclose a broadcast message with an identifier for a computing device with sent the broadcast message.

IEEE802.11 discloses that the beacon message contains a SSID field (Table 5, pg 46) to identify an access point or another wireless station.

One of ordinary skill in the art would recognize the benefit of greater product compatibility and market share by using accepted IEEE standards for wireless networks. Thus it would have been obvious to one of ordinary skill in the art at the time of the invention to use the standards in IEEE802.11 with the method of Ayyagari.

With respect to claim 24, Ayyagari does not disclose a broadcast message or beacon frame which is periodically sent at a set time interval.

IEEE802.11 discloses a Beacon interval field that sets the time interval between beacon transmissions (section 7.3.1.3 Beacon Interval field, pg 51).

One of ordinary skill in the art would recognize the benefit of greater product compatibility and market share by using accepted IEEE standards for wireless networks. Thus it would have been obvious to one of ordinary skill in the art at the time of the invention to use the standards in IEEE802.11 with the method of Ayyagari.

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With respect to claim 25, Ayyagari further discloses using the wireless network and client with the Internet (column 7, lines 47-49). One of ordinary skill in the art would realize that UDP broadcast messages are an efficient manner for broadcasting beacon frames.

With respect to claim 26, Ayyagari does not disclose a configuration announcement message from a wireless client that is a device discovery announcement in accordance with a device discovery protocol.

IEEE802.11 discloses an Association Request frame or configuration announcement message (section 5.7.2 Association, pg 25; section 7.2.3.4 Association Request frame format, pg 47) which is viewed as a device discovery announcement according to a device discovery protocol (IEEE 802.11).

One of ordinary skill in the art would recognize the benefit of greater product compatibility and market share by using accepted IEEE standards for wireless networks. Thus it would have been obvious to one of ordinary skill in the art at the time of the invention to use the standards in IEEE802.11 with the method of Ayyagari.

With respect to claim 27, Ayyagari does not disclose that the configuration announcement message or Association Request frame includes a state variable with a value to indicate that the wireless network client is a new device on the wireless network and that the detected SSIDs are MAC addresses.

IEEE802.11 discloses that the Association Request frame includes a frame control field (Figure 13, pg 35) with the Type and Subtype fields set to "00" and "0000" respectively (Table 1, pg 35). Type and Subtype fields are viewed as a state variable and the combination of bit values represents an association request which only comes from a new device on a wireless network in the IEEE 802.11 protocol. IEEE802.11 discloses that the SSID is a MAC address (section 7.1.3.3.3 BSSID field, pg 39).

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One of ordinary skill in the art would recognize the benefit of greater product compatibility and market share by using accepted IEEE standards for wireless networks. Thus it would have been obvious to one of ordinary skill in the art at the time of the invention to use the standards in IEEE802.11 with the method of Ayyagari.

With respect to claim 28, Ayyagari does not disclose stopping the broadcasts when one configuration announcement message has been received with an indication of a new device in the wireless network.

However Ayyagari does disclose the network client will stop scanning for networks when there is one access point available (292, 294 of Figure 6). One of ordinary skill in the art would realize this same approach would have benefit of continued network connectivity by using it on a broadcasting device in a wireless network.

With respect to claim 29, Ayyagari does not disclose generating an error message when the timeout period for broadcast has expired and there has been no detection of configuration announcement message with a setting for a new device in the wireless network.

Ayyagari does disclose an operating system (134 of Figure 1) for processing the configuration of a wireless device.

IEEE802.1 discloses that the Association Request frame includes a frame control field (Figure 13, pg 35) with the Type and Subtype fields set to "00" and "0000" respectively (Table 1, pg 35). Type and Subtype fields are viewed as a state variable and the combination of bit values represents an association request which only comes from a new device on a wireless network in the IEEE 802.11 protocol. IEEE802.11 discloses that the SSID is a MAC address (section 7.1.3.3.3 BSSID field, pg 39).

One of ordinary skill in the art would realize the benefit of predict recovery by creating an error message after no detection of new devices in the wireless network. Thus

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it would have been obvious to one of ordinary skill in the art at the time of the invention to use the standards in IEEE802.11 with the method of Ayyagari.

With respect to claim 30, Ayyagari further discloses a user interface for allowing the user to set a specific SSID value (column 10, lines 17-21).

With respect to claim 31, Ayyagari further discloses a user interface with a list of SSIDs for the user to select one SSID from the displayed list (column 10, lines 35-39).

With respect to claim 32, Ayyagari further discloses the wireless client will use a configuration set message to retrieve the selected SSID (column 10, lines 48-52).

With respect to claim 33, Ayyagari further discloses a user interface with a list of SSIDs for the user to select one SSID from the displayed list (column 11, lines 25-40). One of ordinary skill in the art would realize the advantage of improved user input by added a message that tells the user manual input of the SSID is required.

With respect to claim 34, Ayyagari further discloses the list has the active SSIDs of the network (column 11, lines 12-14).

With respect to claim 35, Ayyagari further discloses the wireless client will use a configuration set message to retrieve the selected SSID (column 10, lines 48-52).

With respect to claim 36 (36/20-36/35), Ayyagari further discloses a program memory (130 of Figure 1) and a processor (120 of Figure 1; column 6, lines 32-43) for executing the steps of the configuration method.

With respect to claim 38, Ayyagari further discloses Ayyagari further discloses a computer readable media (152, 156 of Figure 1) for storing compute process steps to perform the steps of the configuration method (column 6, lines 1-31).

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7. Claims 6, 17, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ayyagari in view of Arens and further in view of Durej and further in view and IEEE802.11 and further in view of Walton et al. (US 2004/0082356; hereafter Walton).

With respect to claim 6, Ayyagari does not disclose a MAC address of the access point being sent to the wireless network client.

IEEE802.11 discloses a method for configuring or registering a wireless station with an access point in a wireless network wherein a station passively listens or scans (section 11.1.3.1 Passive scanning, pg 126) for a beacon frame (section 7.2.3.1 Beacon frame format, pg 46) with a SSID (Service Set Identity) field (section 7.3.2.1 SSID element, pg 56).

One of ordinary skill in the art would recognize the benefit of greater product compatibility and market share by using accepted IEEE standards for wireless networks. Thus it would have been obvious to one of ordinary skill in the art at the time of the invention to use the standards in IEEE802.11 with the method of Ayyagari.

Ayyagari and IEEE802.11 do not disclose a signal-to-noise ratio (SNR) for each wireless network being sent to the wireless network client.

Walton discloses a method for multiple access points (110a, 110b of Figure 1) and multiple wireless clients (120b, 120e, 120i of Figure 1) where the wireless clients estimate received SNR from an access point and sends the SNR back to the access point for determining a data rate on a downlink. One of ordinary skill in the art would realize the benefit of increased performance (i.e. less error rates for data transmission) by having access points include SNR values for each detected wireless network by estimation from the received beacon frame or receiving the SNR from the access point. Thus it would have been obvious to one of ordinary skill in the art at the time of the invention to use the technique of Walton with the method of Ayyagari and IEEE802.11.

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With respect to claim 17 (17/6/1), Ayyagari further discloses a program memory (130 of Figure 1) and a processor (120 of Figure 1; column 6, lines 32-43) for executing the steps of the configuration method.

With respect to claim 19, Ayyagari further discloses Ayyagari further discloses a computer readable media (152, 156 of Figure 1) for storing compute process steps to perform the steps of the configuration method (column 6, lines 1-31).

Response to Remarks

8. Applicant's remarks with respect to claims 1 and 20 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian T. O'Connor whose telephone number is 571-270-1081. The examiner can normally be reached on 9:00AM-6:30PM, M-F, 1st Friday off.

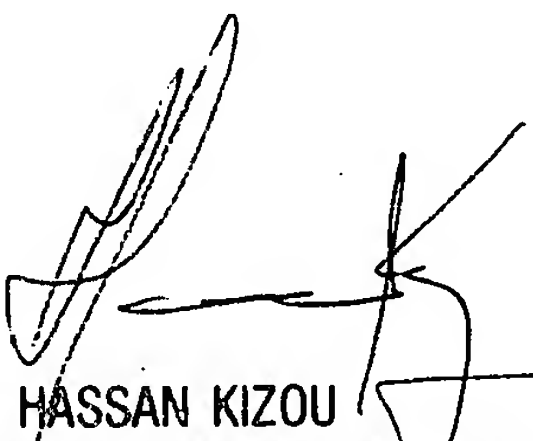
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou can be reached on 571-272-3088. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

BTO

Brian T. O'Connor
August 31, 2007
Patent Examiner



HASSAN KIZOU
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